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JOHN EARL CAMPBELL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN EARL CAMPBELL,
Plaintiff,

v.

NATIONAL RAILROAD PASSENGER
CORPORATION dba AMTRAK, JOE
DEELY, and DOES 1-15, inclusive,
Defendants.

) NO. C05-5434 MJJ (EDL)

) **PLAINTIFF'S SEPARATE STATEMENT OF**
) **INTERROGATORIES IN DISPUTE**

) DATE: May 1, 2007
) TIME: 9:00 a.m.
) DEPT.: Courtroom E, 15th Floor

) DISCOVERY CUT-OFF: March 23, 2007

) TRIAL DATE: July 23, 2007

DISCOVERY MATTER

1 Pursuant to Local Rule 37-2, Plaintiff JOHN CAMPBELL submits the following
2 Interrogatories verbatim propounded to Defendant NATIONAL RAILROAD PASSENGER
3 CORPORATION d.b.a. AMTRAK, and the responses received verbatim. The reason to compel
4 disclosure of the information is detailed in Plaintiff's Memorandum of Points and Authorities and the
5 Declaration of Pamela Y. Price filed and served concurrently herewith.

6 **INTERROGATORY NO. 1.**

7 State the total number of complaints of race discrimination by African-American
8 employee(s) within the last seven (7) years in Defendant Amtrak's Oakland Yard, Sacramento Yard,
9 and other Bay Area locations where Mr. CAMPBELL was assigned.

10 **RESPONSE TO INTERROGATORY NO. 1.**

11 Objection. Defendant objects to the request as vague, ambiguous, overbroad in time
12 and scope, lacking the requisite specificity, compound and violative of the rights of privacy.
13 Moreover, Defendant objects to the request as calling for information that is neither relevant to the
14 litigation nor reasonably calculated to lead to the discovery of admissible evidence. Subject to and
15 without waiving the foregoing, Amtrak responds as follows:

16 Within the last seven years, there have been four court cases filed in Northern
17 California in which an African-American employee has alleged race discrimination.

18 **INTERROGATORY NO. 5.**

19 State the total number of assistant conductors hired in the Pacific Division by year
20 between January 1998 to the present.

21 **RESPONSE TO INTERROGATORY NO. 5.**

22 Objection. Defendant objects to the request as vague, ambiguous, overbroad, lacking
23 the requisite specificity, and compound. Moreover, Defendant objects to the request as calling for
24 information that is neither relevant to the litigation nor reasonably calculated to lead to the discovery
25 of admissible evidence.
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1 **INTERROGATORY NO. 6.**

2 State the total number of African-American assistant conductors hired in the Pacific
3 Division by year between January 1998 to the present.

4 **RESPONSE TO INTERROGATORY NO. 6.**

5 Objection. Defendant objects to the request as vague, ambiguous, overbroad, lacking
6 the requisite specificity, and compound. Moreover, Defendant objects to the request as calling for
7 information that is neither relevant to the litigation nor reasonably calculated to lead to the discovery
8 of admissible evidence.

9 **INTERROGATORY NO. 9.**

10 State the total number of African-American assistant conductors employed in the
11 Pacific Division by year from January 1998 to the present.

12 **RESPONSE TO INTERROGATORY NO. 9.**

13 Objection. Defendant objects to the request as vague, ambiguous, overbroad, lacking
14 the requisite specificity, compound, and unduly burdensome and oppressive. Moreover, Defendant
15 objects to the request as calling for information that is neither relevant to the litigation nor reasonably
16 calculated to lead to the discovery of admissible evidence. Defendant hereby gives notice that this
17 interrogatory sets forth six separate interrogatories and that Plaintiff has exceeded the permissible
18 number of interrogatories.

19 **INTERROGATORY NO. 10.**

20 **IDENTIFY** each African-American conductor who applied for a position as engineer
21 in the Pacific Division from January 1998 to the present.

22 **RESPONSE TO INTERROGATORY NO. 10.**

23 Objection. Defendant objects to the request as vague, ambiguous, overbroad, lacking
24 the requisite specificity, compound, and unduly burdensome and oppressive. Moreover, Defendant
25 objects to the request as calling for information that is neither relevant to the litigation nor reasonably
26 calculated to lead to the discovery of admissible evidence. Moreover, Defendant objects to this
27 interrogatory as calling for private information that is guaranteed under the United States and
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1 California Constitutions. Defendant hereby gives notice that Plaintiff has exceeded the permissible
2 number of interrogatories.

3 **INTERROGATORY NO. 11.**

4 List, by race only, all assistant conductors terminated in the Pacific Division from
5 January 1, 1995 to the present, including involuntary terminations.

6 **RESPONSE TO INTERROGATORY NO. 11.**

7 Objection. Defendant objects to the request as vague, ambiguous, overbroad, lacking
8 the requisite specificity, compound, and unduly burdensome and oppressive. Moreover, Defendant
9 objects to the request as calling for information that is neither relevant to the litigation nor reasonably
10 calculated to lead to the discovery of admissible evidence. Moreover, Defendant objects to this
11 interrogatory as calling for private information that is guaranteed under the United States and
12 California Constitutions. Defendant hereby gives notice that Plaintiff has exceeded the permissible
13 number of interrogatories.

14 **INTERROGATORY NO. 12**

15 IDENTIFY all African-American engineers terminated in the Pacific Division from
16 January 1998 to the present, including involuntary terminations.

17 **RESPONSE TO INTERROGATORY NO. 12.**

18 Objection. Defendant objects to the request as vague, ambiguous, overbroad, lacking
19 the requisite specificity, compound, and unduly burdensome and oppressive. Moreover, Defendant
20 objects to the request as calling for information that is neither relevant to the litigation nor reasonably
21 calculated to lead to the discovery of admissible evidence. Moreover, Defendant objects to this
22 interrogatory as calling for private information that is guaranteed under the United States and
23 California Constitutions. Defendant hereby gives notice that Plaintiff has exceeded the permissible
24 number of interrogatories.

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1 **INTERROGATORY NO. 13.**

2 **IDENTIFY** all of the decision-makers involved in deciding to promote the following
3 individuals to Engine Service in Oakland in the year 2000:

4 E.A. Ohman

5 S.L. McLauchlin

6 D.A. Milburn

7 J.R. Kyles

8 G. B. Santos

9 B. Wilson

10 **RESPONSE TO INTERROGATORY NO. 13.**

11 Objection. Defendant objects to the request as vague, ambiguous, overbroad, lacking
12 the requisite specificity, compound, and unduly burdensome and oppressive. Moreover, Defendant
13 objects to the request as calling for information that is neither relevant to the litigation nor reasonably
14 calculated to lead to the discovery of admissible evidence. Moreover, Defendant objects to this
15 interrogatory as calling for private information that is guaranteed under the United States and
16 California Constitutions. Defendant hereby gives notice that Plaintiff has exceeded the permissible
17 number of interrogatories.

18 **INTERROGATORY NO. 14.**

19 **IDENTIFY** all of the decision-makers involved in deciding to promote the following
20 individuals to Engine Service in Oakland in the year 2001:

21 J. Waterhouse

22 R. Ward

23 C.M. Skinner

24 K. Powell

25 T. Evans

26 W. Giddings

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RESPONSE TO INTERROGATORY NO. 14.

Objection. Defendant objects to the request as vague, ambiguous, overbroad, lacking the requisite specificity, compound, and unduly burdensome and oppressive. Moreover, Defendant objects to the request as calling for information that is neither relevant to the litigation nor reasonably calculated to lead to the discovery of admissible evidence. Moreover, Defendant objects to this interrogatory as calling for private information that is guaranteed under the United States and California Constitutions. Defendant hereby gives notice that Plaintiff has exceeded the permissible number of interrogatories.

INTERROGATORY NO. 15.

IDENTIFY all of the decision-makers involved in deciding to promote the following individuals to Engine Service in Oakland in the year 2002:

D.W. Klitzing

K. Hanson

D.G. Sell

RESPONSE TO INTERROGATORY NO. 15.

Objection. Defendant objects to the request as vague, ambiguous, overbroad, lacking the requisite specificity, compound, and unduly burdensome and oppressive. Moreover, Defendant objects to the request as calling for information that is neither relevant to the litigation nor reasonably calculated to lead to the discovery of admissible evidence. Moreover, Defendant objects to this interrogatory as calling for private information that is guaranteed under the United States and California Constitutions. Defendant hereby gives notice that Plaintiff has exceeded the permissible number of interrogatories.

INTERROGATORY NO. 16.

IDENTIFY all of the decision-makers involved in deciding to promote the following individuals to Engine Service in Oakland in the year 2003:

K. Marty

F. J. Caron

RESPONSE TO INTERROGATORY NO. 16.

Objection. Defendant objects to the request as vague, ambiguous, overbroad, lacking the requisite specificity, compound, and unduly burdensome and oppressive. Moreover, Defendant objects to the request as calling for information that is neither relevant to the litigation nor reasonably calculated to lead to the discovery of admissible evidence. Moreover, Defendant objects to this interrogatory as calling for private information that is guaranteed under the United States and California Constitutions. Defendant hereby gives notice that Plaintiff has exceeded the permissible number of interrogatories.

INTERROGATORY NO. 17.

IDENTIFY all of the decision-makers involved in deciding to promote the following individuals to Engine Service in Oakland in the year 2004:

Mike J. Yacovetti

Patrick Duncan

Than Ly

John Hanson

Wes M. Duvall

Heidi J. Snyder

Brice Carroll

RESPONSE TO INTERROGATORY NO. 17.

Objection. Defendant objects to the request as vague, ambiguous, overbroad, lacking the requisite specificity, compound, and unduly burdensome and oppressive. Moreover, Defendant objects to the request as calling for information that is neither relevant to the litigation nor reasonably calculated to lead to the discovery of admissible evidence. Moreover, Defendant objects to this interrogatory as calling for private information that is guaranteed under the United States and California Constitutions. Defendant hereby gives notice that Plaintiff has exceeded the permissible number of interrogatories.

